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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,733	07/31/2001	Scott D. Sturgeon	10014834-1	4329

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EXAMINER

NGHIEM, MICHAEL P

ART UNIT	PAPER NUMBER
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2861

DATE MAILED: 03/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/919,733

Applicant(s)

STURGEON ET AL.

Examiner

Michael P Nghiem

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-14 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 9, 10 and 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- ☐ Interview Summary (PTO-413) Paper No(s) ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - "portion50" (page 9, line 10) should be -- portion 50 --.
 - "lever62" (page 11, line 10) should be – lever 62 --.

Similar problems exist throughout the specification.

Appropriate correction is required.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "handle 114" (page 9, line 28) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 11, 12, 14, and 16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kotaki et al. (US 5,619,239).

Kotaki et al. discloses all the claimed features of the invention including:

- an inkjet printer (Figs. 17's) and method for ensuring proper insertion of a detachable printer component (Fig. 4) comprising:
 - a chassis (body of printer, Figs. 17's);
 - a motor (mechanism driving 2);
 - a carriage (2) operably secured to the chassis and driven by the motor for reciprocal movement relative to the chassis (Figs. 17a, 17b);
 - a printhead (201) operably secured to the carriage (Figs. 1's), in fluid communication with an ink reservoir (Fig. 4), and in electrical communication with a controller (column 4, lines 3-14, means for controlling ink ejection);
 - a mechanism (Fig. 4) for ensuring correct installation of a detachable printer component (21) into a printer (Figs. 17's) comprising:
 - a detachable printer component (21) having a toe-end (left end of 21, Fig. 4) and a back end (right end of 21, Fig. 4);
 - a mount (103) secured to the printer for detachably receiving the printer component by operably engaging said toe-end and said back end of said detachable printer component (Fig. 4);

- a cover (105) operably secured to said mount extending partially over said toe-end of said detachable printer component when said detachable printer component is secured to said mount defining a neutral position of the cover with respect to the mount such that in order to allow said toe-end to operably engage said mount, said toe-end must be positioned under said cover before said back end is secured to said mount (left end of 21 must be under 105 before right end is secured, Figs. 4-10);

- said detachable printer component is an ink reservoir (21);
- said detachable printer component is an ink/printhead cartridge (21);
- said printer component is a printhead (21);
- said printer is an inkjet printer (Figs. 17's);
- said cover includes a substantially planar top surface (top surface of 105) having an angled leading edge lip (105a) for operably engaging the toe-end of said detachable printer component during installation (Fig. 7);
- said cover is biased to said cover's neutral position (Fig. 4).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 7, 8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotaki et al. in view of Pinkerpell et al. (US 4,907,018).

Kotaki et al. does not disclose that said cover is pivotally secured to said mount at a pivot point and able to deflect slightly out of the cover's engaged position to facilitate installation of said detachable printer component.

Nevertheless, Kotaki et al. discloses that a cover (62) is pivotally secured to said mount at a pivot point (attached point of 62, Fig. 6b) and able to deflect slightly out of the cover's engaged position (62 is a spring) for the purpose of securing an ink cartridge (Fig. 6b).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide Kotaki et al. with a deflectable cover as disclosed by Pinkerpell et al. for the purpose of securing an ink cartridge.

Allowable Subject Matter

5. Claims 9, 10, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reasons For Allowance

6. The combination and method as claimed wherein a beam spring extending between said cover and said mount (claim 9) or said cover is a visually distinguishable color from the color of said mount (claims 10, 15) is not disclosed, suggested, or made obvious by the prior art of record.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Inoue et al. (US 5,619,237), Swanson et al. (US 5,646,665), and Kashimura et al. (US 5,245,361) disclose a mechanism and method for ensuring proper installation of an inkjet cartridge (Figs. 3, 4, 6's, respectively).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Nghiem whose telephone number is (703) 306-3445. An inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 308-0956.


Michael Nghiem

March 11, 2002